OPE 1002-3020:CAB:#346777

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	)	I hereby certify that this correspondence is being deposited with the United States Postal Service as <b>first class mail</b> in an envelope
Charles L. Branch, Jr.	) Before the Examiner	addressed to Mail Stop: AMENDMENT, the Commissioner for Patents, PO Box 1450,
0 : 101 10/710 770	) Not yet known	Alexandria, VA 22313-1450.
Serial No. 10/718,770	) Oroup Art Unit	(Date of Deposit)
Filed November 21, 2003	) 3738	Christopher A. Brown Name of Registered Representative
EXPANDABLE SPINAL IMPLANTS	) )	Signature

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop: AMENDMENT Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir-

Pursuant to the duty of disclosure in accordance with 37 CFR §1.56, Applicant wishes to bring to the attention of the Examiner the patents, publications and/or other information listed on the attached PTO Form 1449 (modified). Copies of the foreign applications are enclosed.

These references were cited in a search report issued on an international application related to the present application. A copy of the search report is provided herewith as the "concise explanation" of 37 CFR 1.98(a)(3) regarding the non-English references. In addition, it is noted from that search report that French-language reference FR 2 753 368 A is related to U.S. Patent Nos. 6,129,763 and 6,371,989 and U.S. Application Publication No. 2002/040243, each of which has already been cited to the PTO in this case, as well as to an additional U.S. Application Publication cited in this IDS.

The filing of this Supplemental Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

This Statement is being submitted more than three (3) months after the filing date of the application but before receipt of the first Office Action. It is believed that no fee is required for

4002-3020:CAB:#346777

consideration of the submitted items. Should any fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

Bv:

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Substitute for form 1449A/PTO

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Application Number 10/718,770

Filing Date November 21, 2003

First Named Inventor Charles L. Branch, Jr.

Group Art Unit 3738

Examiner Name not known

(use as many sheets as necessary)

Sheet 1 of 1

Attorney Docket Number PC740.00/4002-3020

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		US-5,980,522	11/09/1999	Koros et al.	
		US-2002/128712 A1	09/12/2002	Michelson	
		US-2002/116066	08/22/2002	Chauvin et al.	
		US-2004/102848	05/27/2004	Michelson	
		US-6,193,757	02/27/2001	Foley et al.	
		US-2002/151976	10/17/2002	Foley et al.	
		US-6,395,031	05/28/2002	Foley et al.	
		US-			

	Cite		Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
Initials*	No.3	Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>6</sup> (if known)				
		FR 2 753 368	03/20/1998			
		WO 00/25706 A	05/11/2000	-		
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Examiner Signature	Date Consider	red

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>3</sup> Kind of document by the apOpropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>4</sup> Applicant is to place a check mark here if English language Translation is attached.